

RESPONSE TO COMMENTS ON THE TENTATIVE TIME SCHEDULE ORDER
NRG California South, LP
Mandalay Generating Station
NPDES Permit No. CA0001180

This Table described the comments received from interested persons with regard to the above-mentioned tentative Time Schedule Order (TSO). Each comment has a corresponding response and action taken.

Commenter	No.	Comment	Response
City of Oxnard	1	<p>On July 1, 2014, the City Council adopted interim urgency ordinance O-2882 prohibiting the expansion of existing, or development of new, energy generation facilities within the Oxnard Coastal Zone pending studies and changes in the Local Coastal Program (LCP), implementing coastal zoning ordinance, and other applicable regulations. On July 28, 2014, the 45-day emergency ordinance was extended for an additional 10 ½ months by ordinance O-2884. On May 19, 2015, the emergency ordinance was extended for an additional 12 months by ordinance O-2891. With this extension, the ordinance is in force until June 30, 2016.</p> <p>The necessary modification to comply with the pH limitations may be subject to the City's moratorium ordinance and, if so, the City could not issue a building permit until the ordinance expires or the City Council rescinded the ordinance.</p>	<p>The Interim Urgency Ordinance No. 2882 Prohibiting the Expansion of Existing, or Development of New, Electrical Generating Facilities Within the Coastal Zone Pursuant to the Southern California Edison (SCE) Request For Offer (RFO) Process Pending Studies and Changes in the Local Coastal Program (LCP), Zoning Ordinances and Other Land Use Regulations addresses the expansion of existing or the development of new electrical generating facilities within the Oxnard Coastal Zone.</p> <p>The proposed Time Schedule Order (TSO) provides six months for the Mandalay Generating Station (MGS) to modify the flow of wastewater associated with boiler blowdown and the low volume wastes in the retention basins such that it meets the final effluent limitations of between 6 and 9 pH units for the instantaneous minimum and maximum, as prescribed in federal regulations for the in-plant waste streams. The actions that would be necessary to comply with the proposed TSO would not result in the expansion of the current facility or for the development of new electrical generating facilities in the coastal zone of the City of Oxnard. The Board understands concerns that the City of Oxnard has raised regarding the discharge structure at the MGS and its adverse impacts on the quality of life</p>

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			<p>for the community's residents and visitors. The Board will consider the impacts of proposed plant upgrades with reference to Ordinance No. 2882 at the appropriate time.</p> <p>The MGS meets the final effluent limitations for pH contained in Order No. R4-2015-0201. The discharge of combined wastewater consisting of once-through cooling water, internal process wastewaters (low volume wastes), and storm water into the Pacific Ocean through Discharge Point 001 has complied with the pH limitations of 6 to 9 pH Units. There was only one violation of pH (9.5 pH Units, second Quarter 2010) in the effluent discharged to the Pacific Ocean since 2001.</p> <p>MGS has demonstrated that it will not be able to immediately comply with the new pH limitations for internal wastewater discharges from the retention basins and boiler blowdown at INT-001A and INT-001B, respectively. The TSO would provide the time necessary to implement appropriate control measures or make necessary modifications to its operations to bring the MGS into full compliance with the final limitations for pH for internal wastewater discharges from the retention basin and boiler blowdown.</p> <p>MGS has considered two options. One option is to redirect the boiler blowdown to the North and/or South retention basins, thereby eliminating the discrete discharge of the boiler blowdown represented as INT-001B. MGS proposes to design, permit, fabricate and</p>

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			<p>install tankage, and above and below grade piping to accomplish this transfer if it is the selected option. Wastewater in the retention basins, including the boiler blowdown, would be treated to lower the pH to within 6 to 9 pH Units using acid injection or a carbon dioxide gas (CO₂) injection system prior to discharge to INT-001A.</p> <p>The second option is to control the pH level of the boiler blowdown prior to discharge to INT-001B, instead of directing it to the retention basins. If this option is selected, MGS will design, procure, install, and test the pH control system.</p> <p>The options considered for the retention basin and boiler blowdown would not expand the existing facilities, or develop new, energy generation facilities within the Oxnard Coastal Zone. The proposed options and the proposed TSO are not within the scope of the City's Interim Urgency Ordinance No. 2882.</p>
City of Oxnard	2	<p>NRG is currently seeking an Application of Certification (AFC) from the California Energy Commission (CEC) for the Puente Power Project (P3) that will replace the two aging gas-fired steam-generating units (Units 1 and 2) at the existing Mandalay Generating Station (MGS) with a new state of the art General Electric (GE) Frame 7HA.01 single-fuel combustion turbine generator (CTG) and associated auxiliaries. P3 will be developed on approximately 3 acres of previously disturbed vacant brownfield land located within the existing boundaries of MGS.</p>	<p>The infrastructure modification proposed to ensure compliance with the final pH limitations for internal wastewater discharges from the retention basin and boiler blowdown will not affect the ability of the MGS to generate power. Decisions regarding repowering, facility upgrades and/or modifications are outside of the scope of the National Pollutant Discharge Elimination System (NPDES) Program, or the issuance of the TSO.</p>

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		<p>The Los Angeles Regional Water Quality Control Board (Regional Water Board) should have adequate information from NRG as to how the construction of the P3 project, if the AFC is approved by the CEC, does not interfere with the continued operation of the MGS during construction of the P3. Will the addition of infrastructure required for the existing MGS to comply with its NPDES permit interfere with the proposed P3?</p>	
City of Oxnard	3	<p>The new P3 proposes to continue to use the existing ocean outfall structure referenced as Discharge Point 001. The proposed operating period for the P3 is 30 years, from 2021 to 2050. The City has completed extensive coastal hazard analysis that includes estimates of sea level rise consistent with the Coastal Commission's recently adopted Seal Level Rise Policy Guidance. The City's coastal hazard research and mapping indicate that Discharge Point 001 is currently consistently, and increasingly at risk from coastal flooding, erosion, and storm surge inundation. The maps, analysis, and methodology are all on file with the California Public Utilities Commission under Docket A14-11-016.</p> <p>Discharge Point 001 is also likely to become State property at some point in the next 30 years as the mean high tide moves inland, defining State Tide Lands. This could put the State in a position of maintenance and/or liability for the aging structure.</p> <p>The Coastal Commission has notified NRG that NRG must apply for a five-year best practices san management coastal permit that would regulate when and how NRG may use</p>	<p>The proposed TSO addresses the existing MGS facility and does not alter the facility's methodology of generating power or the amount of power generated. It was developed since MGS requires additional time to make infrastructure changes and implement appropriate control measures to comply with the final pH limitations for the internal wastewater discharges from the retention basins and/or the boiler blowdown. The required changes must be completed no later than July 1, 2016 (six months).</p> <p>The purpose of the NPDES permit and the associated TSO is to regulate discharges of wastewater from industrial operations.</p>

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		<p>bulldozers to break through naturally-occurring beach sand berms so that the MGS discharge does not pond and back up into the outflow structure.</p> <p>Finally, the beach over which the discharge water travels is a public beach. The discharge, moving at a visible current when the MGS is fully operating, presents an attractive nuisance and safety hazard to the public and inhibits horizontal coastal access in possible violation of the Coastal Act. Photographs are included that show the discharge ponding, condition of the structure, and people and pets wading in the discharge. The proposed P3 facility application indicates NRG will continue to use the beach outfall discharge even though the greatly reduced amount of discharge (NRG's CEC application states total sanitary and wastewater discharge at 19 AFY) could be redirected either to the adjoining Edison Canal or into the City's sanitary sewer system, assuming appropriate water quality requirements and permits are obtained. Discharge into the Edison Canal may actually benefit the canal's water quality by introducing in-flow at what could otherwise be a stagnant "dead end" that is 1.7 miles from the Channel Islands harbor.</p> <p>The City requests that the Regional Water Board add a condition on the TSO that Discharge Point 001 be discontinued and demolished when MGS must comply with the Once-Through-Cooling policy. NRG has already indicated in the AFC application that the MGS will be decommissioned.</p>	